

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	2:07cr191-TFM
)	
MARSHALL E. METCALF)	

UNOPPOSED MOTION FOR PLACEMENT ON
PRE-JUDGMENT PROBATION
(Probation Interview Requested)

COMES NOW the defendant, Marshall E. Metcalf, by and through undersigned counsel, Kevin L. Butler, and respectfully moves without opposition for placement on pre-judgment probation. In support of this request the defendant states:

- 1) Based upon undersigned counsel's pretrial investigation, it appears that Mr. Metcalf: a) has not, prior to the commission of this case, been convicted of violating a Federal or State law relating to controlled substances; b) has not previously been the subject of a disposition under this section.
- 2) As a result of his lack of prior drug history, Mr. Metcalf is a suitable candidate for pre-judgment probation and moves for such placement. See 18 U.S.C. § 3607.
- 3) The government, through Kent Brunson, Esq., does not oppose this motion.

WHEREFORE the defendant requests that this court order a pretrial/probation interview to verify the defendant qualifies for pre-judgment probation and upon satisfactory completion of the interview, Mr. Marshall be ordered to complete pre-judgment probation.

Dated this 10th day of October, 2007.

Respectfully submitted,

s/ Kevin L. Butler
KEVIN L. BUTLER
First Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: kevin_butler@fd.org
AZ Bar Code: 014138

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	2:07cr191-TFM
)	
MARSHALL E. METCALF)	

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Kent Brunson, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler
KEVIN L. BUTLER
First Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: kevin_butler@fd.org
AZ Bar Code: 014138